

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

June 7, 2005

DIVISION ONE

B180937 People
 v.
 Larry Histon

Filed order granting petition for rehearing.

DIVISION TWO

B176363 People (Not for Publication)
v.
Polk

The Court:

The order under review is affirmed.

Boren, P.J., Doi Todd, J., Nott, J. (Assigned)

[illegible]

The judgment is modified to strike the 10-year enhancement imposed pursuant to section 186.22, subdivision (b)(1) and to provide for a 15-year minimum parole eligibility period. In all other respects, the judgment is affirmed.

Nott, J. (Assigned)

We concur: Boren, P.J.
 Doi Todd, J.

June 7, 2005 (Continued)

DIVISION TWO (Continued)

B173411 People (Not for Publication)
v.
Kim

The judgment is affirmed.

Nott, J. (Assigned)

We concur: Boren, P.J.
Ashmann-Gerst, J.

B175611 People (Not for Publication)
v.
Fuentes

The judgment is affirmed.

Nott, J. (Assigned)

We concur: Boren, P.J.
Ashmann-Gerst, J.

B177361 People (Not for Publication)
v.
Verdugo

The judgment is modified to strike the 10-year enhancement imposed pursuant to section 186.22, subdivision (b)(1) and to provide for a 15-year minimum parole eligibility period. In all other respects, the judgment is affirmed.

Nott, J. (Assigned)

We concur: Boren, P.J.
 Doi Todd, J.

June 7, 2005 (Continued)

DIVISION TWO (Continued)

B177989 Los Angeles County, D.C.S. (Not for Publication)
v.
Stacy S.-W.

We reverse the order terminating parental rights for the sole purpose of providing ICWA notice. If after notice, the minors are not determined to be members of the Cherokee Nation of Oklahoma Tribe or the United Keetoowah Band of Cherokee Indians, the order terminating parental rights shall stand. If the minor are members, the tribe and Stacy shall be entitled to petition the juvenile court to invalidate orders in violation of the ICWA.

Nott, J. (Assigned)

We concur: Boren, P.J.
 Ashmann-Gerst, J.

DIVISION FOUR

B173861 People (Not for Publication)
v.
Chew

The judgment is affirmed.

Hastings, J.

We concur: Epstein, P.J.
 Curry, J.

DIVISION FIVE

Court convened at 9:00 a.m.

Present: Turner, P.J., Armstrong, J., Mosk, J. and Zaida G. Heraldez, Deputy Clerk.

DIVISION FIVE (Continued)

B175301 David Taylor
 v.
 H & C Disposal Company

Merits:
Argued by Todd Andrew Greenwald for appellant and by Brigid Joyce for respondent. Cause submitted.

B176212 People
 v.
 Amie Lavonne Asberry

Merits:
Argued by Christine C. Shaver for appellant and by Marc E. Turchin, Deputy Attorney General for respondent. Cause submitted.

B175301 Gary Cramer et al
 v.
 Los Angeles Superior Court et al

Merits:
Argued by Thomas J. Wicke for appellants and by Paul W. Cane and Scott D. Bertzyk for respondents. Cause submitted.

Court recessed.

Court reconvened at 10:00 a.m.

Present: Turner, P.J., Armstrong, J., Mosk, J. and Zaida G. Heraldez, Deputy Clerk.

B175194 Maryam Rafie
 v.
 David Allensworth

Merits:
Argued by W. Dozorsky for appellant and by Ronald F. Templer for respondent. Cause submitted.

DIVISION FIVE (Continued)

B182464 County of Los Angeles et al
v.
Superior Court, Los Angeles County
(Union of American Physicians et al, r.p.i.)

Merits:

Argued by Robert E. Ragland, Jeffrey V. Dunn and Richard S. Kemalyan
for petitioners and by David Haug Martin for real party in interest.
Submission is deferred until June 14, 2005. Additional briefing due June
14, 2005.

Court recessed.

Court convened at 10:59 a.m.

Present: Turner, P.J., Mosk, J., Kriegler, J. and Zaida G. Heraldez, Deputy Clerk.

Each of the following:

B177479 People v. Chanelle B.
B179274 In re Christopher A. (DCFS v. Anthony W.)

Argument waived, cause submitted.

B173236 Jon Anderson et al
v.
Speedee Oil Change Systems et al.

Merits:

Argued by Terrence A. Beard and Craig J. Bassett for appellants and by
Barry R. Scholom for respondents. Cause submitted.

DIVISION FIVE (Continued)

B177071 People
 v.
 Albert J. Jones

Merits:
Argued by George Schraer for appellant and by Allison Chung for
respondent. Cause submitted.

Court recessed.

Court reconvened at 1:00 p.m.

Present: Turner, P.J., Mosk, J., Kriegler, J. and Zaida G. Heraldez, Deputy Clerk.

B175207 Overland Investment
 v.
 Etiwanda 21.69 LP

Merits:
Argued by Jerry K. Staub for appellant and by Perry D. Mocciaro for
respondent. Cause submitted.

B175814 Jennifer V. Stroffe
 v.
 Delicia D. Medrano

Merits:
Argued by Douglas G. Benedon for appellant and by Kamal Antoine Bilal
for respondent. Cause submitted.

B177105 Lilia Demonteverde etc. Trustees
 v.
 Miller Hamilton

Merits:
Argued by Patricia A. Painter for appellant and no appearance for
respondent. Cause submitted.

June 7, 2005 (Continued)

DIVISION FIVE (Continued)

B174098 **Nitra Brazile**
v.
Bharat Shah et al.

Merits:
Argued by Daniel P. Barer for appellants and by Barry Novack for respondent. Cause submitted.

Court adjourned.

DIVISION SEVEN

B174718 Smythe
v.
County of Los Angeles

Filed order denying petition for rehearing.

B125364 People
v.
Jackson and Price

Filed order modifying opinion and denying petition for rehearing. (No change in judgment.)

DIVISION EIGHT

B177026 People (Not for Publication)
v.
Cooper

The judgment is affirmed.

Flier, J.

We concur: Cooper, P.J.
Rubin, J.

June 7, 2005 (Continued)

DIVISION EIGHT (Continued)

[illegible]

The judgment is affirmed.

Flier, J.

We concur: Rubin, Acting P.J.
Boland, J.

B168237 Larry Weathers (Not for Publication)
v.
Gail M. Weathers, as Trustee, etc.,

The order under review is affirmed.

Cooper, P.J.

We concur: Boland, J.
Flier, J.